

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

NICOIS M. SMITH,

Plaintiff,

v.

OKLAHOMA STATE OF, ET AL.,

Defendants.

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CIV-19-868-R

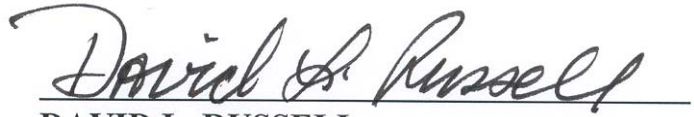
ORDER

Plaintiff filed this action pursuant to 42 U.S.C. § 1983, alleging violation of his constitutional rights by certain correctional professionals during his detention in the Oklahoma County Detention Center. (Doc. No. 1). Pursuant to 28 U.S.C. § 636(b)(1)(B), the matter was referred to United States Magistrate Judge Gary M. Purcell for preliminary review. On January 7, 2020, Judge Purcell issued a Supplemental Report and Recommendation wherein he recommended that Plaintiff's Motion for Discovery, Doc. No. 44, be denied without prejudice, because discovery is not yet appropriate in the case.¹ (Doc. No. 45). The record reflects that Plaintiff has not objected to the Report and Recommendation within the time limits prescribed therein nor sought an extension of time in which to object.² In light of the absence of an objection, the Report and Recommendation is hereby ADOPTED and the Motion for Discovery (Doc. No. 44) is DENIED.

¹ Defendants have not yet been served with process.

² The Court previously adopted two separate Reports and Recommendations from Judge Purcell addressing the issue of discovery and in a January 21, 2020 Order the Court informed Plaintiff that the Court would inform him when discovery was appropriate.

IT IS SO ORDERED this 4th day of February 2020.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE